

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

Plaintiff
vs.

Law No. _____
or

Defendant

Chancery No. _____

SERVE:

FRIDAY MOTIONS DAY – PRAECIPE/NOTICE

Title of Motion: _____ Attached _____ Previously Filed

_____ Date to be heard (Friday): _____

Moving Party: _____ Plaintiff _____ Defendant

***1. Time to be Heard:**

9:00 a.m. WITH a Judge _____ **9:00 a.m. WITHOUT a Judge** _____

10:00 a.m. (LAW Cases) _____ Does this motion require 2 weeks notice? Yes ___ No ___

11:30 a.m. (CHY Cases) _____ Does this motion require 2 weeks notice? Yes ___ No ___

*Appearance By Phone*TM: Yes ___ No ___ Time Estimate: _____
combined no more than 30 minutes

***2. Judge _____ MUST hear this motion**

Reason (must check one):

_____ Motion involves a ruling made by this judge after a hearing/trial.

_____ This judge has been assigned to this case/motion by the Chief Judge/other judge of this court.

***3. Case to be removed from _____ Docket and continued to _____ Docket.**

PRAECIPE/NOTICE filed by:

Attorney Name

Daytime Phone Number

Address

VA Bar I.D. No.

***4.**

REPRESENTATION OF COUNSEL OF RECORD

I certify that: _____ Prior to placing this matter on the court's docket I made a good faith effort to resolve this matter with Counsel of Record for the opposing party; or

_____ Prior to placing this matter on the court's docket I attempted without success to contact opposing counsel to attempt to resolve this matter; or

_____ There is no opposing counsel of record as of this time.

I further certify that I have read each of the instructions on the reverse side of this form.

Moving Party/Counsel of Record

***5.**

CERTIFICATE OF SERVICE

I certify that I have served a copy of this PRAECIPE/NOTICE on all Counsel of Record pursuant to Rule 1:12 of the Rules of the Supreme Court of Virginia this _____ day of _____, _____.

INSTRUCTIONS

*(1) All motions should be noticed for the **10:00 a.m. Law Docket (All Law Cases) or the 11:30 a.m. Chancery Docket (All Chancery Cases and Fiduciary matters)** unless counsel of record for the moving party believes the motion will be uncontested. All motions believed to be uncontested should be noticed for 9:00 a.m. All motions noticed for 9:00 a.m. should be set without a judge, unless evidence will be required (e.g., Ex Parte Proof, Infant Settlements, Fiduciary matters) or if it is necessary for the order to be entered that morning rather than in chambers at a later time. All Motions for Summary Judgment, Demurrers, Pleas in Bar, motions pertaining to discovery disputes and other motions where the moving party desires to file a memorandum require two weeks' notice. A memorandum of points and authorities of five pages or less must accompany any of these pleadings and any other motions placed on the Two Week docket. Memoranda in opposition to any such pleadings, consisting of five (5) pages or less, accompanied by the Court's green Response to Motion form (available in the Clerk's Office) must be received by the Clerk of the Court and opposing counsel of record, no later than 4:00 p.m. on the Friday preceding the date of the hearing or the Court may treat the matter as uncontested. As assignments to specific judges will be made on the Monday preceding the hearing, the matter may not be continued or removed from the docket after 4:00 p.m. on the Friday preceding the hearing date without leave of that judge for good cause shown. If either party believes it necessary to file a memorandum exceeding five double-spaced typewritten pages, then the motion must be heard pursuant to the Court's Briefing Procedure for Motions. (Instruction sheet is available in the Clerk's Office and the Bar Association Office.)

*(1a) Please see *Appearance by Phone* TM information packets available in the Clerk's Office, visit the Court's website at www.co.fairfax.va.us or call the Court's Fax on Demand Information Line at 703-691-7320 (Follow voice prompts and press 3, then 1, then 6.)

*(2) You may indicate that a specific judge must hear the motion only if the motion involves a ruling made by this judge after a hearing or trial, or if this judge has been expressly assigned to the case or motion by the Chief Judge or other judge of this Court. Please enter the judge's name and check the appropriate reason.

*(3) Cases may only be removed from the docket by counsel of record for the moving party. Except as set forth in paragraph one above, cases can be removed from the docket until 4:00 p.m. on the Thursday preceding the hearing date by contacting the Motions Clerk at 703-246-4355.

*(4) If a good faith discussion between counsel has taken place prior to the filing of a two-week motion, responding counsel need not make additional contact with counsel for the moving party before signing the good faith certification on the green response form. (See Circuit Court Manual for details of requirement of good faith effort to resolve.)

*(5) A copy of this PRAECIPE/NOTICE, the MOTION, and any MEMORANDUM must be [mailed/delivered/faxed] to all counsel of record in sufficient time to be received by 4:00 p.m. on the Friday before the scheduled hearing (two Fridays before if a memorandum accompanies the motion), and if faxed, a confirming copy must be mailed pursuant to Rule 1:12 of the Rules of the Supreme Court of Virginia.

GENERAL INSTRUCTIONS

- (A) In setting a matter down for a hearing on the Friday motions docket, counsel of record for the moving party is representing that in counsel's opinion the entire hearing on the motion will not require more than thirty (30) minutes. If a hearing will require more than thirty (30) minutes, then counsel of record for each of the parties should contact the calendar control judge to schedule the hearing on a date certain.
- (B) Each side must bring a proposed order to court on the day of the hearing so the ruling can be reduced to an order that day.
- (C) Do not set down a Motion to Reconsider for hearing. (See Motions Docket Procedures available in the Clerk's Office, Bar Association office, or the Court's website at www.co.fairfax.va.us)